

Tequesta Garden Condominium Association, Inc.

"We're retired from working, but are working at having fun"

November 10, 2022

Dear Tequesta Garden Owners and Residents,

Just a recap of the on-going repairs and preventative maintenance of our property at Tequesta Garden.

This past year we have had higher than normal water bills, due to leaking water lines or fixtures in units that would not shut off and were not reported. We are now linked into the Village that shows each building's water usage. When the Village notices a spike in usage, we are notified. Once we are aware of the usage spike, we track out the source and do the repairs if it is our responsibility or notify the unit owners to repair their fixtures.

We have had two sewer breaks this year, and both have been repaired. With a system 50 years old, you cannot anticipate the next repair.

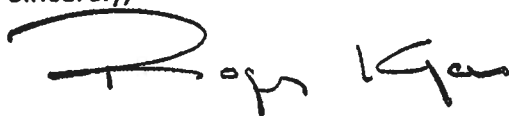
In addition, this past year we have removed the old ceiling light fixtures on the walkways and sidewalks, and replaced them with LED fixtures. This work was done in-house, which saved us on the labor costs. We have also begun the process of replacing the gutters with seamless gutters; we have completed 11 buildings, and hope to complete the rest this coming year.

Another project we are working on in-house is the painting of all walkways and sidewalks, using a sand based paint to help prevent slippage.

Other projects have been the painting of the Clubhouse screened-in lanai, wind mitigation of our roofs, upgrades of our lawn maintenance equipment, and adding more underground irrigation lines.

I want to thank our staff for working with me on our many projects; we all know we are the gem of Tequesta!

Sincerely,



Roger Kjar
President
Board of Directors

Dear Tequesta Garden Unit Owners:

Enclosed is the Proposed Operating Budget and Reserve Fund requirements for 2023. The quarterly assessment per unit for 2023 is expected to be \$1,211, an increase of \$135/quarter. The increase includes \$110/quarter for insurance, and \$25/quarter for all other costs. Given the impact of the insurance increase, the committee has worked to keep all other increases as low as possible.

Over the last 3 months, Board and community members have participated in a series of Budget Committee meetings, open to all unit owners, to review the Operating Budget and Reserve Funds. Florida statute requires all associations to maintain reserves for big items like roofing, painting, and paving. Like many other associations, we also reserve for important but infrequent activities like building, pool, and common element repairs. Our complex is more than 50 years old and requires regular repair and upgrading to stay sound and attractive. We updated the reserve study and are better positioned to meet those repair challenges.

The budget committee also reviewed our revenue and expenses compared to both 2022 budgeted amounts through September as well as our 2021 actuals. What the committee found challenging is how few opportunities there are to reduce costs. Water; sewer; electric; and our second largest expense, cable TV, all increase every year. Just like in our personal lives, the association's expenses are going up.

Our largest expense is the insurance we must carry per Florida law. We carry a total of 11 different policies, one of which is our property insurance with wind and named storm coverage. The market for such insurance is very challenging. Many insurance companies have left our state or no longer offer property insurance, making property insurance much more expensive. At the same time, construction costs have increased significantly; our legally required appraisal earlier this year reported a rebuilding cost increase of 24% versus the amount we insured in 2019. This increase directly impacts our insurance premium. Rebuilding cost increases combined with the problems of the Florida insurance market mean that our largest budget line item will increase by 30 to 50% over 2022. Each year we are challenged to create a budget without having the actual cost of the insurance available until mid-December, which means we must pass a budget at our November board meeting with incomplete insurance cost information. Working with our insurance broker, we have done our best to estimate this cost. Depending on the final insurance cost, the board may need to create a special assessment to pay our insurance bill in 2023. Additionally, our insurer will require a wind mitigation study of our building roofs. That study may require repairs or improvements which could result in the need for an additional special assessment. Our commitment to you is to find the most cost-effective solutions and to communicate with you as soon as we know the costs and whether special assessments will be necessary.

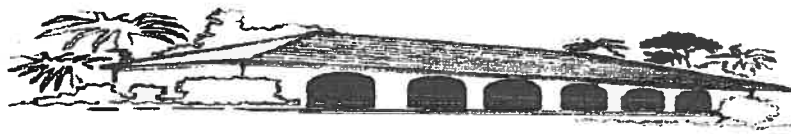
In summary, the increase in our 2023 budget is due to a combination of increased insurance costs and inflation impacting all aspects of our association's day to day business. We wish we had better news, but we must build our budget accurately based on the information available.

Thank you to the many board and association members who participated in our comprehensive review process. I appreciate your support as we worked the process together. Special thanks to staff member Becky Brinich, without whom the role of Treasurer would be a much greater challenge.

Sincerely,

Peter Kline, Treasurer





Proposed Operating Fund Budget Year 2023

January 1, 2023 to December 31, 2023

	Estimated Expenses 2022	Budget 2022	Difference Prop 2023 & 2022	Proposed Budget 2023
<u>Maintenance Expenses</u>				
Wages	118,000	105,000	23,000	128,000
Building Repair	30,000	40,000	-5,000	35,000
Equipment Repair	1,000	4,000	-1,500	2,500
Sprinkler Repair	2,610	1,500	1,100	2,600
Pest Control	9,800	10,000	0	10,000
Employee Payroll Taxes	11,000	11,000	660	11,660
Swimming Pool	11,000	10,000	2,000	12,000
Clubhouse Maintenance	13,200	14,000	0	14,000
<u>Operating Expenses</u>				
Sewage	80,000	70,000	4,000	74,000
Water	90,000	88,000	5,149	93,149
Electric	23,700	22,000	2,000	24,000
Grounds	16,000	22,000	-2,000	20,000
Recreation Supplies	1,800	2,000	0	2,000
Truck Exp. & Gas	2,000	3,000	0	2,500
<u>Other Expenses</u>				
Bookkeeping	22,000	22,000	3,820	25,820
Office & Shop Expense	12,600	13,000	0	13,000
Insurance - Health	19,200	22,000	-2,900	19,100
Insurance - Property	329,900	293,500	109,300	402,800
Legal/Engineering	15,600	12,000	1,000	13,000
Audit	6,000	6,000	0	6,000
Division Fee	992	992	0	992
Misc.	0	500	-500	0
Reserve (chart on the back)	95,000	95,000	-1,366	93,634
Secretarial	11,000	11,000	1,909	12,909
Contingency	0	500	-500	0
<u>Fixed Expenses</u>				
Cable	143,000	144,000	3,680	147,680
Lease	43,152	43,152	0	43,152
TOTAL EXPENSES	1,108,554	1,066,144	143,852	1,209,496
Less Fees Collected From Condo Sales				-8,000
EXPENSES MINUS COLLECTED FEES = TOTAL EXPENSES				1,201,496
QUARTERLY ASSESSMENT PER UNIT:				\$1,211

TEQUESTA GARDEN CONDOMINIUM ASSOCIATION
 2023 RESERVE REQUIREMENTS / ESTIMATED LIFE ANALYSIS

	COST TO REPLACE	END NET POSITION BEFORE ASSESSMENT		REMAINING BEFORE REPLACEMENT	EQUALS FUNDING NEEDED PER YEAR	
		RESIDUAL TO BE FUNDED	RESIDUAL TO BE FUNDED		REPLACEMENT	PER YEAR
ROOFING - PHASE I	\$172,837	0	\$0	20		\$8,642
ROOFING - PHASE II	\$1,087,063	\$631,290	\$455,773	12		\$37,981
PAVING	\$450,000	\$130,489	\$319,511	30		\$10,650
PAINTING	\$153,400	\$124,010	\$29,390	4		\$7,348
BUILDING REPAIR	159,000	\$38,502	\$120,498	10		\$12,050
EQUIPMENT	N/A	\$29,632	\$0	NA		\$0
COMMON ELEMENTS: CH Roof	51,200	\$39,956	\$11,244	5		\$2,249
COMMON ELEMENTS: Big pool	23,087	\$10,606	\$12,481	8		\$1,560
COMMON ELEMENTS: Small pool	25,000	\$11,054	\$13,946	10		\$1,395
PUTTING GREEN	14,840	\$10,245	\$4,595	10		\$460
SHUFFLE BOARD	19,000	\$0	\$19,000	5		\$3,800
HURRICANE DEDUCTIBLE &/or Catastrophic Event	10,000	\$0	\$10,000	4		\$2,500
BAD DEBT	10,000	\$0	\$10,000	2		\$5,000
	N/A	\$26,362	\$0	NA		\$0
TOTAL	2,175,427.00	1,052,146.00	1,123,281.00			\$93,634

TEQUESTA GARDEN CONDOMINIUM ASSOC., INC.
 2023 PROPOSED RESERVE BUDGET

	12/31/21 BAL Forward	9 months BUDGETED ADDITION 2022		3 months BUDGETED ADDITION 2022		9 months INTEREST EARNINGS 2022		TRANSFER OF 2021 O.F. SURPLUS		ESTIMATED EXPENSES 2022		12/31/2022 RESERVE Total
		2022	2022	2022	2022	2022	2022	2022	2022	no 3 ms int		
ROOFING PHASE I & II	\$533,700	\$32,688	\$10,896	\$323	\$58,483	-\$4,800	\$631,290				\$631,290	
PAVING	\$119,840	\$7,614	\$2,538	\$64	\$533	-\$100	\$130,489				\$130,489	
BLDG. PAINTING	\$105,274	\$13,311	\$4,437	\$54	\$934		\$124,010				\$124,010	
BLDG. REPAIR	\$39,998	\$6,534	\$2,178	\$24	\$15,458	-\$25,690	\$38,502				\$38,502	
EQUIPMENT	\$30,103	\$360	\$120	\$21	\$25	-\$997	\$29,632				\$29,632	
COMMON ELEMENTS	\$32,311	\$9,225	\$3,075	\$25	\$655	-\$5,335	\$39,956				\$39,956	
COMMON ELEMENTS: CH Roof	\$10,000	\$432	\$144	\$5	\$25		\$10,606				\$10,606	
COMMON ELEMENTS: Big pool	\$10,000	\$747	\$249	\$5	\$53		\$11,054				\$11,054	
COMMON ELEMENTS: Small pool	\$9,760	\$342	\$114	\$5	\$24		\$10,245				\$10,245	
BAD DEBT	\$26,362	\$0		\$5			\$26,362				\$26,362	
TOTAL	\$917,348	\$71,253	\$23,527	\$527	\$76,190	-\$36,922	\$1,052,147				\$1,052,147	

This instrument was prepared by:
MARTY PLATTS, ESQ.
Becker & Pollakoff, P.A.
625 North Flagler Drive, 7th Floor
West Palm Beach, FL 33401

**CERTIFICATE OF AMENDMENT TO THE
DECLARATIONS OF CONDOMINIUM FOR
TEQUESTA GARDEN CONDOMINIUM NOS. 1 THROUGH 8**

WHEREAS, the **Declarations of Condominium for Tequesta Garden Condominiums** have been duly recorded in the Public Records of Palm Beach County, Florida, as follows:

<u>CONDOMINIUM NO.</u>	<u>OFFICIAL RECORD BOOK</u>	<u>PAGE</u>
Condominium No. 1	1699	242
Condominium No. 2	1747	195
Condominium No. 3	1785	1
Condominium No. 4	1812	1462
Condominium No. 5	1848	1665
Condominium No. 6	1891	262
Condominium No. 7	1937	81
Condominium No. 8	1982	1538

and

WHEREAS, at a duly called and noticed meeting of the membership of **Tequesta Garden Condominium Association, Inc.**, a Florida not-for-profit corporation, held on **March 7, 2022**, and recessed to and reconvened on **April 26, 2022**, the aforementioned Declarations of Condominium were amended pursuant to the provisions of said Declarations of Condominium.

NOW, THEREFORE, the undersigned hereby certify that the following amendments to the Declarations of Condominium are a true and correct copy of the amendments as amended by the membership:

**AMENDMENTS TO THE
DECLARATIONS OF CONDOMINIUM FOR
TEQUESTA GARDEN CONDOMINIUM NOS. 1 THROUGH 8**

(Additions shown by "underlining",
deletions shown by "strikeout")

**ARTICLE VI
MAINTENANCE, ALTERATION AND IMPROVEMENT**

* * *

B. Common Elements.

* * *

2. Additions, Alterations or Improvements to Common Elements or Association Property by the Association. No portion of the Common Elements and Association Property may be subject to any additions, alterations or improvements (as distinguished from maintenance, repairs and replacements) which involve a common expense in excess of ~~one (1%)~~ two (2%) percent of the annual budget then in effect for Common Expenses, including operating expenses and reserves, for any individual addition, alteration or improvement, or in excess of five (5%) percent of the annual budget then in effect, including operating expenses and reserves, for all additions, alterations or improvements undertaken within a fiscal year, unless such additions, alterations or improvements have been approved by not less than a majority of the votes of the participating membership of the Association present, in person or by proxy, at a meeting called for that purpose at which a quorum is established or voting by written agreement where at least a quorum of the membership participates. Any additions, alterations or improvements to the Common Elements or Association Property, or any part thereof, costing less than ~~the one (1%)~~ two (2%) percent or five (5%) percent thresholds described above, may be approved by the Board of Directors without approval of the Unit Owners. The cost and expense of any such additions, alterations or improvements to such Common Elements or Association Property undertaken by the Association shall constitute a part of the Common Expenses and shall be assessed to the Unit Owners accordingly. Under no circumstances may an alteration or addition to the Common Elements of a particular condominium be approved solely by a vote of the owners of units in that particular condominium.

ARTICLE XI
USE RESTRICTIONS

D. Nuisances. No nuisance shall be allowed upon the condominium property, nor any use or practice that is the source of annoyance to residents or which interferes with the peaceful possession and property use of the property by its residents. All parts of the condominium shall be kept in a clean and sanitary condition and no rubbish, refuse or garbage shall be allowed to accumulate nor any fire hazard allowed to exist. Smoking and secondhand smoke are fire, health and safety hazards. Smoking and secondhand smoke are nuisances. No dwelling unit owner shall permit any use of his dwelling or make any use of the common elements that will increase the cost of insurance upon the condominium property.

WITNESS my signature hereto this 4th day of May, 2020, at Tequesta, Palm Beach County, Florida.

TEQUESTA GARDEN CONDOMINIUM
ASSOCIATION, INC.

By: [Signature] President

[Signature]
Witness

Virginia Lehmann
(PRINT NAME)

Attest: [Signature] Secretary

[Signature]
Witness

[Signature]
(PRINT NAME)

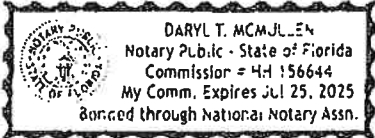
[Notary page to follow]

STATE OF FLORIDA :
COUNTY OF PALM BEACH :

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 15 day of May, 2022, by ROGER WILK and NANCY WILK, as President and Secretary, respectively, of **Tequesta Garden Condominium Association, Inc.**, a Florida not-for-profit corporation, on behalf of the corporation. They are personally known to me or have produced as identification and did take an oath.

[Handwritten Signature] (Signature)

DARYL T. MCMULLEN (Print Name)
Notary Public, State of Florida at Large



"The house of everyone is to him his castle." The condominium concept, however, is coexisting, not isolation. It is cooperation, awareness of the needs and hopes of fellow members. It is a wish to live separately, but together in peace and harmony, to live in a congenial atmosphere made possible only by the group itself. Because we are large, we must have regulations, but let us start by relying upon the good judgment of all and restrict only in such areas where rules are essential.

Tequesta Garden is an adult community, mainly composed of retirees. Therefore, generally the Recreation Area "goes to bed" at 10:00 PM except on evenings of special group events which are open to all residents.

Tequesta Garden is a "home" community. Care should be taken to avoid a motel or rescrpt atmosphere. Renters and guests of Unit owners have the privileges of Unit owners, but also the responsibilities to abide by these rules and regulations.

Parking spaces are provided in the common elements for Unit owners and guests. Unit owner's parking spaces are identified by their Unit Number. Head-in parking only, please.

Parking in the cul-de-sac at the North end of Garden Street is not permitted. It is suggested that when using the recreation area, parking is limited to the parking located in front of the Clubhouse on Westwood Avenue spaces. DO NOT USE THE GUEST SPOTS BY "H" (4 Westwood Avenue) AND "K" (3 Garden Street) BUILDINGS. Please refer to Section V of these Rules and Regulations for further information on driving and parking rules, regulations and restrictions.

Unit owners (or tenants) should familiarize their families and guests with these regulations and be RESPONSIBLE for their observance.

THE RECREATION AREA

The Recreation Area is available for use by all Unit owners; therefore, mutual consideration is the order of the day. A guest is a visitor in your "home." It is the Unit owner or tenant's responsibility to see that all guests abide by the Rules and Regulations in place. It is not necessary for Unit owners to always accompany adult guests, but adults must supervise children under the age of sixteen (16) when in the entire Recreation Area.

A. SWIMMING POOLS:

All persons using the pools do so at their own risk. It is not recommended that anyone swim alone. Your best protection is to have someone else present if help is needed.

1. The Department of Health requires the following pool rules:

- a. Shower before entering.
- b. No glass or animals in the fenced pool area (or 50 feet from unfenced pool).
- c. No food or beverages in pool or on pool wet deck. Commercially bottled water in plastic bottles is allowed on the pool wet deck for pool patron hydration.
- d. Maximum water temperature is 104°F.
- e. Do not use the pool if you are ill with diarrhea.

- f. Do not swallow the water, it is recirculated.
- g. Bathing Load: 23 persons in big pool, 14 persons in small pool.
- h. Pool Hours: 7:00 AM to 10:00 PM.
- i. Pool maximum depth 6 feet.
- j. **NO DIVING.**

- 2. Because soap showers are not permitted, NO SUNTAN OIL SHOULD BE PUT ON THE BODY BEFORE SWIMMING. (Oil lies on the surface of the water, adheres to others and clogs the drains.) If oil is added after the swim, please SPREAD A TOWEL OVER THE PATIO FURNITURE. (Oil penetrates and badly discolors the plastic strips and can ruin good clothing.)
- 3. Please do not enter the pool with an infectious disease or any wounds.
- 4. Articles of any kind (rafts, floats, inner tubes, snorkels, toys, etc.) are not permitted in the pool unless they are for purposes of exercise (noodles, plastic barbells) or attached to the bather's body.
- 5. The pools may be used at any time between 7:00 AM and 10:00 PM except when they are being cleaned. There are no Lifeguards on duty at any time; therefore, SWIMMING IS AT YOUR OWN RISK.
- 6. Babies or children still in diapers are not allowed in the pool.
- 7. Bathing suits should be changed in the restrooms.
- 8. No ball playing in the pools or pool areas. NO RUNNING IN THE POOL AREAS OR DIVING OR JUMPING FROM THE EDGE OF THE POOLS.
- 9. Pools and recreation area for residents and guests only.
- 10. Children under the age of 16 years must be accompanied by an adult.
- 11. Non-breakable beverage containers (for example plastic, metal, cardboard) and light snacks (for example fruit, nuts, protein bars) are permitted at pool side chairs and tables. Beverage containers and snacks are not permitted in the pools or within the unobstructed 4 feet area surrounding the pools. No glass, glass containers or glass bottles are permitted in the pools or pool areas. Residents and guests are responsible for properly disposing of beverage and snack items and should leave the area clean and safe for the next person. All beverage and food spills should be thoroughly cleaned up using the hose or paper towels.
- 12. The use of electronic devices such as phones, radios, or other media players is permitted in the recreation area when used with personal hearing devices such as headphones, earbuds, or in silent mode (speaker off). Bluetooth speakers are not permitted. Electronic devices are not permitted in the pool. Approved social events like water exercise classes or association parties may be granted an exception.

B. SHUFFLEBOARD:

- 1. Courts should be swept before use. The broom hangs on the Shuffleboard cabinet door.
- 2. If you are the last to play at night, please turn off the lights. (Switches are at the base of the poles.)
- 3. Please wax the discs after use and place all equipment in the Shuffleboard cabinet.

C. PUTTING GREEN:

- 1. Putting hours are daylight until dark.
- 2. Flat shoes only may be worn on the Putting Green.

fully mechanically operable or currently licensed for use, recreational vehicles, mobile homes, truck mounted campers attached, motor homes are allowed to be parked on Condominium Property. On a temporary basis, Unit owner travel trailers, motor homes or campers or those of guest may be parked for no longer then forty-eight (48) hours at areas designated with permission from the Board of Directors. A letter stating the desired dates must be submitted to the office. Out of necessity and on an exception basis, moving vans and moving containers may be parked overnight in areas designated by the President when moving into or out of a Unit cannot be completed in one day.

Posted speed limits and one-way driving patterns are to be observed for the safety and welfare of residents and their guests. Caution should be exercised for pedestrians and those on bicycles.

W. INSURANCE:

Dwelling Unit owners are responsible for obtaining insurance coverage at their own expense for at least their personal property and for their personal liability and living expenses and for all real and personal property located within the boundaries of their Unit which is excluded from the coverage to be provided by the Association.

X. NO SMOKING

Smoking and secondhand smoke are nuisances as well as fire, health and safety hazards. Smoking anywhere on the property cannot create a nuisance for residents. Smoking includes, for example, the use of cigarettes, cigars, pipes, marijuana, e-cigarettes, and vaping. The State of Florida Clean Indoor Air Act prohibits smoking in common enclosed areas, such as laundry rooms and clubhouses, including restrooms and kitchens. Smoking and secondhand smoke are also not permitted on balconies, walkways and the Clubhouse's screened porch. Smoking is permitted in individual units but must be contained within the unit and cannot become a nuisance to neighboring units or interfere with the peaceful possession and use of property by its residents. Cigarette butts and ashes are considered litter and should be disposed of properly.

Y. COMMON ELEMENTS:

1. No Unit owner shall make any addition, alteration or improvement in or to the Common Elements, limited Common Elements or Association Property (including the laundry rooms, Association grounds or leased property). The maintenance and operation of the Common Elements, limited Common Elements and Association property is solely the responsibility of the Association and a common expense. Requests for maintenance may be made by filling out a Maintenance Request slip and submitting it to the office.
2. Common Element walls cannot be altered by penetration or otherwise for purposes of repairing heating, ventilation, air conditioning or plumbing without permission from the Association and the Village of Tequesta. Procedures are available at the Association office for undertaking such repairs.
3. Screens, screen doors and railings on balconies are common elements.
4. Unit Entrance Area. 16" x 16" tile can be used. Color required is earth tone or a color similar to the catwalk or walkway. Adjacent unit owner must approve tile and color.